Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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C O N F I D E N T I A L STATE 124497

LIMDIS - FROM EUR/EE

E.O. 11652: GDS

TAGS: SHUM, HU

SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLANS

1. THE DEPARTMENT HAS RECENTLY INSTITUTED A BROADSCALE EFFORT, LED BY THE DEPUTY SECRETARY, TO IMPLEMENT THE ADMINISTRATION'S HUMAN RIGHTS POLICY AS EFFECTIVELY AS POSSIBLE IN THE FULL RANGE OF U.S. DIPLOMATIC ACTIVITIES. THIS EFFORT, WHICH IS TO INVOLVE ALL RELEVANT BUREAUS OF THE DEPARTMENT AND ALL U.S. POSTS ABROAD, IS PREMISED UPON THE COMPREHENSIVE STATEMENT OF POLICY SET FORTH IN THE SECRETARY'S LAW DAY SPEECH AT ATHENS, GA., ON APRIL 30, TEXT OF WHICH POSTS HAVE RECEIVED.

2. ONE OF THE PRINCIPAL COMPONENTS OF THIS BROAD IMPLE-MENTATION EFFORT IS THE DEVELOPMENT OF SPECIFIC PROPOSED COURSE: OF ACTION WITH RESPECT TO EACH COUNTRY. THESE CONFIDENTIAL

PAGE 02 STATE 124497

INDIVIDUAL COUNTRY ACTION PLANS ARE TO ENABLE US TO DETER-MINE WHERE WE SHOULD CONCENTRATE OUR ATTENTION.

3. POSTS WILL SOON BE RECEIVING A CIRCULAR CABLE, BEING COORDINATED BY S/P AND THE OFFICE OF THE DEPARTMENT'S COORDINATOR FOR HUMAN RIGHTS (D/HA), WHICH IS TO PROVIDE "QUESTIONS AND ANSWERS" ON HUMAN RIGHTS AND OTHER BACK-GROUND SNFORMATION, AND WHICH ALSO WILL REQUEST ALL POSTS

TO PROVIDE SPECIFIC RECOMMENDATIONS ON HOW THE U.S; CAN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

HELP PROMOTE HUMAN RIGHTS IN THE HOST COUNTRY OR WORK WITH THE HOST COUNTRY TO FURTHER HUMAN RIGHTS ELSEWHERE.

4. IN THE MEANTIME, EUR AND ALL OTHER REGIONAL BUREAUS HAVE BEEN REQUESTED TO DRAW UP INDIVIDUAL COUNTRY ACTION PLANS FOR EACH COUNTRY COVERED BY THE BUREAU. THESE PLANS ARE TO DESCRIBE THE CURRENT CONDITION OF HUMAN RIGHTS, THE EXTENT OF VIOLATIONS, THEIR FREQUENCY AND INTENSITY, AND THE POLICIES AND ATTITUDES OF THE HOST GOVERNMENT. THE PLANS, WHICH ARE TO INCORPORATE SUGGESTIONS FROM THE FIELD, ARE TO INCLUDE SPECIFIC RECOMMENDATIONS FOR U.S. ACTION DURING THE NEXT SIX MONTHS AND SHOULD BE UPDATED EVERY SIX MONTHS, OR MORE FREQUENTLY, IF NEW DEVELOPMENTS SO REQUIRE. THE DEPUTY SECRETARY HAS REQUESTED THAT THE ACTION PLANS PAY PARTICULAR ATTENTION TO PROPOSING POSITIVE WAYS TO FOSTER HUMAN RIGHTS.

5. EUR/EE HAS PREPARED INITIAL DRAFT ACTION PLANS FOR EACH OF OUR COUNTRIES, BASED ON INFORMATION AVAILABLE HERE AND FOLLOWING A STANDARD FORMAT WHICH HAS BEEN DISTRIBUTED THROUGHOUT THE DEPARTMENT BY D/HA FOR THIS PURPOSE. (SEPTEL WILL PROVIDE TEXT OF THIS STANDARD FORMAT FOR YOUR INFORMATION AND USE.) TEXT OF OUR DRAFT PLAN, WHICH IS PRELIMINARY AND DOES NOT RPT NOT HAVE EUR SIXTH FLOOR CLEARANCE, FOLLOWS.

CONFIDENTIAL

PAGE 03 STATE 124497

6. ACTION REQUIRED. WE REQUEST EMBASSY'S ADDITIONS AND COMMENTS ON DRAFT PLAN, AND -- MOST IMPORTANTLY -- SUGGESTIONS FOR ACTIONS WE CAN EFFECTIVELY UNDERTAKE BILATERALLY DURING THE COMING SIX MONTHS AND BEYOND. SINCE WE ARE WORKING UNDER A VERY TIGHT DEADLINE, WE WILL REQUIRE POST'S RESPONSE NO LATER THAN OPENING OF BUSINESS ON FRIDAY, JUNE 3.

7. BEGIN DRAFT TEXT. A. CONDITION OF HUMAN RIGHTS

1. RESPECT FOR INTEGRITY OF THE PERSON: TO OUR KNOWLEDGE, TORTURE OR UNUSUAL OR INHUMAN PUNISHMENT HAVE NOT BEEN USED DURING THE LAST DECADE. (KADAR, WHO HIMSELF WAS A VICTIM OF TORTURE DURING THE STALINIST PERIOD, PRESUMABLY IS INFLUENTIAL IN RESISTING SUCH PRACTICES.) DURING THE SAME PERIOD, THERE HAVE BEEN REPORTS OF SEVERAL ARBITRARY ARRESTS AND/OR IMPRISONMENT, AND TRIALS STILL ARE OCCASIONALLY HELD IN CAMERA IN "STATE SECURITY" CASES. HOWEVER, THE OVERALL CURRENT HUNGARIAN RECORD IN THIS RESPECT REPRESENTS FAR-REACHING PROGRESS OVER THAT OF HUNGARY'S STALINIST PAST.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

(A) FREEDOM OF THOUGHT, RELIGION, ASSEMBLY - IN GENERAL, FREEDOM OF SPEECH, ASSEMBLY AND THOUGHT IS PERMITTED EXCEPT THAT FUNDEMENTAL CRITICISM OF THE LEADING ROLE OF THE COMMUNIST PARTY IS NOT TOLERATED. FREEDOM OF RELIGION IS GRANTED, BUT SOCIAL PENALTIES SOMETIMES ARE IMPOSED ON RELIGIOUS ADHERENTS (E.G., LACK OF PROMOTION OPPORTUNITIES).

(B) FREEDOM OF MOVEMENT WITHIN COUNTRY, FOREIGN TRAVEL AND EMIGRATION POLICIES - NO INTERNAL PASSPORT SYSTEM, ALTHOUGH PERMANENT TRANSFER FROM THE COUNTRYSIDE TO BUDAPEST IS PERMITTED ONLY IF INDIVIDUAL HAS EMPLOYMENT IN BUDAPEST.
CONFIDENTIAL

FOREIGN TRAVEL IS GENERALLY PERMITTED; SOME 85-90 OF APPLICANTS CAN PERIODICALLY RECEIVE EXIT VISAS FOR TOURIST TRAVEL TO THE WEST. ALTHOUGH HUNGARIAN LAW PROHIBITS EMIGRATION PRIOR TO THE AGE OF 55, IN PRACTICE THE AUTHORITIES ARE LIBERAL WITH RESPECT TO FAMILY REUNIFICATION; 90-95 OF SUCH APPLICANTS ARE GIVEN PASSPORTS. CURRENTLY THERE ARE ONLY SEVEN CASES ON US PROBLEM LIST.

(C) DEMOCRATIC PROCESSESS ASSURING THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS. WHILE MANY ELECTION SLATES HAVE ONLY A SINGLE COMMUNIST PARTY CANDIDATE, SEVERAL HAVE COMPETING CANDIDATES INCLUDING NON-PARTY INDIVIDUALS. OCCASIONALLY NON-PARTY MEMBERS DEFEAT PARTY CANDIDATES. HOWEVER, THE POLITICAL PROCESS IS TIGHTLY CONTROLLED BY THE CENTRAL GOVERNMENT AND PARTY.

3. RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

(A) GOVERNMENT AND PARTY POLICIES ARE GENERALLY RESPONSIVE TO THE BASIC SOCIAL AND ECONOMIC NEEDS OF THE PEOPLE. THE NEW ECONOMIC MECHANISM, BEGUN IN 1968 TO DECENTRALIZE SOME ELEMENTS OF DECISION MAKING, HAS PROVIDED GREATER POPULAR PARTICIPATION. PARTY AND GOVERNMENT LEADERS HAVE BEEN RELATIVELY EFFECTIVE IN INFORMING THE PEOPLE ABOUT ECONOMIC PROBLEMS AND CONSULTING WITH THEM.

(B) CORRUPTION IS OFFICIALLY DISCOURAGED. PARTY SECRETARY KADAR SETS AN EXAMPLE BY HIS OWN MODEST LIFE STYLE. THE MANAGERIAL ELITE DO ENJOY A SUBSTANTIALLY HIGHER STANDARD OF LIVING THAN THE AVERAGE WORKER.

4. IN 1963 KADAR SIGNALED AN END TO THE HARSH POLICIES OF THE STALINIST AND POST-1956 REVOLUTION PERIOD BY STATING THAT THE OLD SLOGAN "THOSE WHO ARE NOT WITH US ARE AGAINST
CONFIDENTIAL

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

US" WAS SUPERSEDED BY "THOSE WHO ARE NOT AGAINST US, ARE WITH US." THIS IMPLIED A TOLERATION OF PLURALISM, WHICH HAS BEEN APPLIED PRAGMATICALLY EVER SINCE. KADAR'S POLICIES HAVE CREATED A MODUS VIVENDI WITH INTELLECTUAL AND RELIGIOUS LEADERS AND GAINED HIM POPULAR CONFIDENCE. DURING THE POST-HELSINKI PERIOD HUNGARY'S LEADERS HAVE PROUDLY VOICED THEIR MODERATE HUMAN RIGHTS POLICY.

5. THE HUNGARIAN GOVERNMENT VIEWS OUTSIDE, INDEPENDENT INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS AS INTERFERENCE IN HUNGARY'S INTERNAL AFFAIRS. NONETHELESS THEY HAVE ACCEPTED U.S. EXPRESSIONS OF CONCERN N INDIVIDUAL DIVIDED FAMILY CASES. HUNGARY DID NOT GRANT VISAS TO CSCE COMMISSION MEMBERS LAST FALL.

(B) ANALYSIS AND RECOMMENDATIONS.

1. HUNGARY IS INTERNALLY LIBERAL IN THE WARSAW PACT CONTEXT. SUPPORT FOR HUNGARY'S STAND CAN BE EXPRESSED THROUGH POSITIVE ACTION ON THE MAJOR ISSUES IN OUR BILATERAL RELATIONS OF INTEREST TO HUNGARY. SUCH STEPS, HOWEVER, REQUIRE MAJOR POLICY DECISIONS.

SHORT OF THIS, OVER THE NEXT YEAR, CONTINUATION OF THE DIALOG ON THE IMPLEMENTATION OF CSCE GOALS IN BILATERAL RELATIONS IS THE MOST EFFECTIVE VEHICLE FOR PROMOTING THE ADVANCEMENT IN CERTAIN AREAS OF HUMAN RIGHTS. GIVEN HUNGARY'S RELATIVELY POSITIVE ATTITUDE IN IMPLEMENTING CSCE, THIS APPROACH IS BOTH NATURAL AND FITTING. SPECIFIC TOPICS WHICH HAVE BEEN DISCUSSED IN THIS CONTEXT, AND WHICH SHOULD CONTINUOUSLY BE FOLLOWED UP BOTHINGENERAL MEETINGS AND THROUGH QUIET DIPLOMACY, INCLUDE:FAMILY REUNIFICATION; TRAVEL FACILITATION; INCREASED CONTACTS BETWEEN INDIVIDUALS OF THE TWO COUNTRIES; FREER FLOW OF INFORMATION; AND THE EXPANSION OF COOPERATION IN EDUCATION, CULTURE, SCIENCE AND TECHNOLOGY.
CONFIDENTIAL

2- THE OFFICIAL HUNGARIAN REACTION TO THE NEW U-S. HUMAN RIGHTS POLICY HAS VERY CLOSELY FOLLOWED THE SOVIET LINE. INFORMALLY HUNGARIAN OFFICIALS, OPINION LEADERS AND THE GENERAL PUBLIC EXPRESS CONCERN THAT A TOUGH US STAND ON HUMAN RIGHTS VIS-A-VIS THE SOVIET UNION MEANS A DOWNTURN IN US-SOVIET RELATIONS, AND THAT THE CONSEQUENT WEAKENING OF DETENTE MIGHT AFFECT HUNGARY'S ABILITY TO CONTINUE TO DEVELOP RELATIONS 'ITH THE WEST AND TO STRENGTHEN ITS OWN SPECIAL INTERNAL COURSE. A FEW HUNGARIAM OFFICIALS HAVE

SUGGESTED, HOWEVER, THAT THE HELSINKI FINAL ACT HAS TAKEN CERTAIN MATTERS SUCH AS FAMILY REUNIFICATION OUT OF A

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

PURELY INTERNAL CONTEXT.

IT MUST ALSO BE NOTED THAT THERE IS NO REAL DISSIDENT MOVEMENT IN HUNGARY. KADAR AND HUNGARIAN INTELLECTUALS HAVE WORKED OUT A MUTUALLY ACCEPTABLE MODUS VIVENDI. THE SOLE STIRRING IN HUNGARY THIS YEAR WAS BY A SMALL GROUP OF INTELLECTUALS WHO SENT A LETTER OF SOLIDARITY TO THE CZECHOSLOVAK CHARTER 77 GROUP -- WITHOUT ANY REFERENCE TO CONDITIONS IN HUNGARY. NOT ONLY DID THE HUNGARIAN GOVERNMENT TAKE NO ACTION AGAINST THE SIGNATORIES, BUT HUNGARIAN PARTY LEADERS REPORTEDLY WERE SUCCESSFUL IN DEFENDING THIS APPROACH ON DISSIDENTS AGAINST WARSAW PACT HARDLINERS SEEKING A UNITED TOUGH STAND.

3. WHILE HUNGARY'S PUBLIC PRONOUNCEMENTS ON HUMAN RIGHTS WILL CONTINUE TO FOLLOW THE SOVIET LINE CLOSELY, WE BELEIVE THAT THE HUNGARIAN GOVERNMENT IS COMMITTED TO A CONTINUATION OF HUNGARY'S INTERNAL LIBERALITY AND POSITIVE ATTITUDE TOWARD CSCE. A REVERSAL OF THIS TREND WOULD ONLY COME ABOUT IF US-SOVIET RELATIONS, ESPECIALLY OVER HUMAN RIGHTS, DETERIORATE SO SHARPLY THAT HUNGARY WOULD BE PRESSED STRONGLY BY THE USSR TO ADOPT MORE RESTRICTIVE POLICIES.
CONFIDENTIAL

PAGE 07 STATE 124497

4. (A) IF OUR TACIT SUPPORT OF HUNGARY'S RELATIVELY LIBERAL STANCE ON HUMAN RIGHTS IS EXPRESSED IN THE CONTEXT OF IMPROVED US-HUNGARIAN RELATIONS AND/OR A CONTINUATION AND EXPANSION OF THE CSCE DIALOG, THIS WILL SERVE AT THE SAME TIME TO ADVANCE US POLITICAL AND ECONOMIC INTERESTS IN HUNGARY AND IN THE REGION. HOWEVER, THE HUMAN RIGHTS ISSUE SHOULD NOT BE ADDRESSED PUBLICLY NOR HEAD ON, FOR SUCH APPROACHES WOULD BE REBUFFED IMMEDIATELY TO THE DETRIMENT OF OUR OBJECTIVES IN THE HUMAN RIGHTS AREA AND IN OTHERS AS WELL.

(B) GIVEN HUNGARY'S CLOSE TIE TO THE SOVIET FOREIGN POLICY LINE, HUNGARY IS UNLIKELY TO GIVE OPEN SUPPORT TO U.S. HUMAN RIGHTS EFFORTS IN WORLD FORUMS. WITHIN MEETINGS OF THE COMMUNIST COUNTRIES HUNGARY IS WILLING TO DEFEND ITS OWN POSITION ON ISSUES RELATED TO HUMAN RIGHTS, AND SUCH ACTION IS IN OUR INTEREST. END DRAFT TEXT VANCE

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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EO Systematic Review
22 May 2009
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